



Serial No. 09/780,073  
Docket No. RPC 557 PUS

AF  
3100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William P. Apps

EXAMINER: Castellano, S.

SERIAL NO.: 09/780,073

GROUP ART UNIT: 3727

25/E  
10/2/03

FILED: February 9, 2001

FOR: NESTABLE CAN TRAY WITH CONTOURED WALL STRUCTURE

ATTY DOCKET NO.: RPC 0557 PUS

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SECOND AMENDMENT WITH APPEAL

Please Enter  
4/12/04

Dear Sir:

Appellant files this Amendment along with Appellant's Appeal Brief, as provided for in MPEP 1207, in order to remove issues from appeal and avoid a remand by the Board to consider such issues. This amendment is made to correct a minor antecedent basis issue in claim 22. The Examiner has indicated that this Amendment to claim 22 would be entered in his Advisory Action mailed August 8, 2003.

**CERTIFICATE OF MAIL**

I hereby certify that the enclosed Second Amendment with Appeal is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 22, 2003.

Konstantine J. Diamond